

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CABOT GOLF CL-PP 1, LLC, ET AL.

Plaintiffs

V.

**CABOT GOLF CL-PP ACQUISITION,
LLC, ET AL.**

Defendants

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No. 5:12CV39

**MEMORANDUM ORDER ADOPTING
REPORT AND RECOMMENDATION**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. Plaintiffs filed objections to the Report and Recommendation.

The Court conducted a *de novo* review of the Magistrate Judge's findings and conclusions. Plaintiffs' objections are without merit. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is


ORDERED that Defendant Nixon Peabody LLP's Motion to Dismiss Complaint for Failure to State a Claim Upon Which Relief Can be Granted (Dkt. No. 49) is **GRANTED**. It is further

ORDERED that the part of Defendant Steven Hulce and the Old Saybrook Defendants' Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue, Transfer of Venue and/or Alternatively to Dismiss for Failure to State a Claim or for More Definite Statement (Dkt. No. 40) dealing with the two dismissal rule is **GRANTED**. It is further

ORDERED that Plaintiffs' above-entitled and numbered cause of action is **DISMISSED**
WITH PREJUDICE.

It is SO ORDERED.

SIGNED this 25th day of July, 2013.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE